

SENATE BILL 733
By Tracy

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 15 and Title 39, Chapter 17, relative to
methamphetamine.

WHEREAS, the Tennessee General Assembly recognizes that the clandestine
manufacture of the illegal drug methamphetamine has become a scourge upon the State of
Tennessee; and

WHEREAS, methamphetamine will soon be, if it is not already, every bit as much a
threat to the people of Tennessee as cocaine; and

WHEREAS, persons engaged in clandestine methamphetamine manufacture routinely
endanger children, their neighbors, and other innocent persons; and

WHEREAS, the hazardous materials generated during the clandestine manufacture of
methamphetamine pose a great threat to Tennessee's environment, and impose a significant
burden on innocent property owners; and

WHEREAS, this General Assembly recognizes that strong treatment and prevention
programs for the victims of methamphetamine manufacture and addiction are as important to
combating the spread of methamphetamine as tougher penalties for violators; now, therefore,
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-401, is amended by adding
the following language as new subsection (b) and by redesignating subsequent subsections
appropriately:

(b)

(1) A person who knowingly allows a child to be present within a
structure where the act of creating methamphetamine, as scheduled in § 39-17-

408(d)(2), is occurring, is presumed to have neglected the child so as to adversely affect the child's health and welfare for purposes of subsection (a).

(2) A violation of subdivision (1) is a Class E felony if the child is over six (6) years of age.

(3) A violation of subdivision (1) is a Class D felony if the child is six (6) years of age or less.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it.